



# TOWN OF KITTERY

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## BACKGROUND NOTES

September 12, 2011

Kittery Town Council  
Regular Meeting Agenda  
7:00 p.m.

Council Chambers

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption : **(Note: The Council is suggested to accept Belano's resignation from the BOA before appointing him to the Planning Board)**
6. Acceptance of Previous Minutes – 8/22/11 & 8/29/11 **(enclosed)**
7. Interviews for the Board of Appeals and Planning Board

Planning Board (to fill the unexpired term of George Burke until 11/30/12)

- Richard Balano- **Application enclosed**

### 8. PUBLIC HEARINGS

a. (090111-1) The Kittery Town Council moves to hold a public hearing on an ordinance to amend Chapter 4.4 of the Town Code to establish a Board of Directors for the Kittery Community Center at Frisbee Common. **Please see the enclosed report and materials on this issue.**

b. (090111-2) The Kittery Town Council moves to hold a public hearing to approved and authorize the Town Manager to sign the ten-year Cable TV Franchise Agreement with Comcast and to establish a Cable TV Reserve Fund for Comcast payments and use in the operations of Channel 22. **Please see the enclosed report and materials on this issue.**

### 9. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Chairperson's response to public comments

### 10. UNFINISHED BUSINESS

a. (080211-1) The Kittery Town Council moves to ordain amending and revising Title 16, Chapter 16.7.3.4.6 with effect from June 28, 2011 as presented. **Please see the enclosed report and materials on this issue.**

b. (080211-1) The Kittery Town Council moves to ordain amending and revising Title 16, Chapter 16.7, Articles II, III and IV, as presented. **Please see the enclosed report and materials on this issue.**

c. (080211-1) The Kittery Town Council moves to ordain amending and revising Title 16 as presented. **Please see the enclosed report and materials on this issue.**

d. (080211-1) The Kittery Town Council moves to ordain repeal of Title 15 in its entirety. **Please see the enclosed report and materials on this issue.**

e. (080211-1) The Kittery Town Council moves to approve revisions to Town Code Appendix A as presented. **Please see the enclosed report and materials on this issue.**

f. (080211-1) The Kittery Town Council moves to ordain amending and revising Title 16 as presented. **Please see the enclosed report and materials on this issue.**

## 11. NEW BUSINESS

a. (090111-3) The Kittery Town Council moves to approve an alternative procurement method for the purchase of antenna equipment for public safety as approved by Capital Improvement Program. **Please see the enclosed report and materials on this issue.**

b. (090111-4) The Kittery Town Council moves to receive a Wood Island Committee Report and to give guidance and take action as requested by the committee. **Please see the enclosed report and recommendation on how to proceed on this issue.**

c. (090111-5) The Kittery Town Council moves to accept the resignation of Richard Balano from the Board of Appeals. **Please see enclosed resignation communications.**

d. (090111-6) The Kittery Town Council moves to approve a renewal application from Delta Amusement, Inc., 182 State Road for a Malt, Spirituous and Vinous Liquor License for Navy Yard Bar & Billiard, 182 State Road. **Please see the application enclosed and Town inspection found establishment in compliance with Code.**

e. (090111-7) The Kittery Town Council moves to authorize and release local match funds for the Local Project Agreement between the Maine Department of Transportation and the Town of Kittery for engineering funds to undertake preliminary engineering work on sidewalk layout and construction on Route 103 and authorize the Town Manager to sign the agreement. **Please see the enclosed report and materials on this request.**

f. (090111-8) The Kittery Town Council moves to authorize and release local match funds for the Maine Department of Transportation Grant for upgrades to the Kittery Memorial Circle infrastructure and authorizes the Town Manager to sign the agreement. **Please see the enclosed report and materials on this request.**

g. (090111-9) The Kittery Town Council moves to approve the disbursement warrants.

h. (090111-10) The Kittery Town Council moves to sign a Memorandum of Understanding between the Town of Kittery and the Port Authority for maintenance, repair and improvement of municipal-owned wharves, docks, piers and landings. **The KPA has approved the MOU and is finalizing obtaining signatures which should be complete by Monday.**

i. (090111-11) The Kittery Town Council moves to appoint a representative to meet with a member of the CIP Committee to interview Jeff Clifford for his re-appointment to that Committee until 11/24/13. **Council Chairperson will state the next Councilor on the list for this assignment.**

j. (090111-12) The Kittery Town Council moves to re-appoint Page A. Mead to the Parks Commission until 5/3/14. **The interview has been done and appointment is recommended.**

k. (090111-13) The Kittery Town Council moves to re-appoint Richard DeMarco to the Parks Commission until 5/3/14. **The interview has been done and appointment is recommended.**

l. (090111-14) The Kittery Town Council moves to appoint Ann Grinnell to the Growth Management Advisory Committee until 12/31/11. **Please see the enclosed application.**

m. (090111-15) The Kittery Town Council moves to schedule a date for a public hearing on proposed amendments to Chapter 12.4 Seapoint and Crescent Beaches, Section 12.4.3 B and C (2) Vehicular use; parking restrictions. **A draft of the amendments to Chapter 12.4 is enclosed and is ready for ORC review and recommendation process. The next meeting is September 26, 2011 for setting a public hearing date.**

n. (090111-16) The Kittery Town Council moves to approve and sign a service agreement between the Town of Kittery and Eaton Peabody Consulting Group for an interim Town Manager and recruitment of a new Town Manger. **Please see the enclose service agreement requiring the Chairperson to sign.**

o. (090111-17) The Kittery Town Council moves to appoint an Interim Town Manager, Tax Collector, Treasurer and Welfare Director effective September 23, 2011, until a new Town Manager is hired. **The candidate's credentials were distributed for the Executive Session on 8/29/11 and will be available to Council at their desks for the meeting.**

p. (090111-18) The Kittery Town Council moves to accept an Efficiency Maine Rebate check in the amount of \$10,223.85, for energy efficiency improvements at the Sewer Treatment Plant and to place said funds in account #802-67500. **Please see the enclosed report on this issue.**

q. other

12. COUNCILOR ISSUES OR COMMENT

13. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

b. Town Manager's Report -1. Speed reduction –MaineDOT, 2. Fuel & More Dance outcome.

3. Bridge update

c. Committee Reports

14. ADJOURNMENT

Posted: September 8, 2011